

REGULAR CITY COUNCIL MEETING  
APRIL 26, 1999

PRESENT

R. Dale Roper	Mayor
Wesley Bloomfield	Council Member
Gayle Bunker	Council Member
Bruce Curtis	Council Member
Glen Swalberg	Council Member

ABSENT (Excused)

Robert Dekker	Council Member
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ALSO PRESENT

Gregory Jay Schafer	City Recorder
Richard Waddingham	City Attorney
Neil Forster	Public Works Director
Derin Phelps	Millard County Chronicle/Progress
Kevin Leuze	Bunker Hill Raceway
Dee Jay Finlinson	
Ryan Carter	
Ivan & Sandra Christensen	City Residents
Gary & Marian Bunker	City Residents
Nick Ware	Bunker Hill Raceway

Mayor Roper called the meeting to order at 7:00 p.m. Gregory Jay Schafer, City Recorder, acted as Secretary. Mayor Roper stated that notice of the meeting time, place, and agenda was posted at the principal office of the governing body, located at 76 North 200 West, and was provided to the Millard County Chronicle/Progress, KNAK Radio, and to each member of the City Council, at least two days prior to the meeting.

Council Member Bruce Curtis offered an invocation, after which Mayor Roper led those in attendance in the Pledge of Allegiance.

MINUTES

The minutes of a Public Hearing held March 22, 1999 were presented for consideration and approval. Council Member Wesley Bloomfield MOVED to approve the minutes of the Public Hearing held March 22, 1999, as presented. The motion was SECONDED by

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Council Member Gayle Bunker. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The minutes of a Regular City Council Meeting held March 22, 1999 were presented for consideration and approval. There were two minor typographical errors noted in the minutes. Following discussion, Council Member Glen Swalberg MOVED to approve the minutes of the Regular City Council Meeting held March 22, 1999, as corrected. The motion was SECONDED by Council Member Bruce Curtis. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

#### ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a copy of which had been given to them two days prior to the meeting. Following review, Council Member Gayle Bunker MOVED to approve the accounts payable in the amount of \$121,638.87. The motion was SECONDED by Council Member Bruce Curtis. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

#### UNFINISHED BUSINESS

There were no items of unfinished business on the agenda.

#### NEW BUSINESS

##### KEVIN LEUZE, BUNKER HILL RACEWAY, LLC: PROPOSED BUNKER HILL RACEWAY MOTOCROSS TRACK

Mr. Kevin Leuze presented his proposal to open the Bunker Hill race track for motocross racing. Mr. Leuze introduced his partner, Ryan Carter, and his Track Manager, Nick Ware. He explained that the track has been accepted into the American Motocross Association (AMA), which provides additional insurance coverage when AMA sanctioned events are running. Mr. Leuze felt that the track would bring professional motocross racers to Delta for racing because there are currently only 11 AMA sanctioned raceways in the United States.

Bunker Hill Raceway plans to provide 3 racing tracks, in order to attract family participation, construct bleachers for up to 15,000 persons, and provide separate restroom

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facilities for men and women which include showers and resting rooms. Plans are to broadcast the Bunker Hill races worldwide via the Internet, for which a web page is currently being prepared. Mr. Leuze explained to the Council how the internet broadcasts would operate, security to be provided, insurance coverage and liability waivers.

City Attorney Richard Waddingham asked Public Works Director/Zoning Officer Neil Forster about the zoning of the proposed raceway property. It was determined that the property is located in an Agricultural zone and would require a Conditional Use Permit. In addition, part of the raceway is located on Millard County property and would require a zone change from Millard County.

Mayor Roper asked Mr. Leuze how many races he plans to run. Mr. Leuze advised the Council that they currently have sixteen races planned. This may be reduced to twelve races, depending on competition from other AMA races.

Mayor Roper thanked Mr. Leuze for his presentation and advised that he make application with the Planning & Zoning Commission for a conditional use permit.

RUSSELL HENRIE: PROPOSED ROAD CONSTRUCTION AT 200 SOUTH 400 EAST

Mayor Roper reported that Mr. Henrie has canceled his request for a road at 200 South 400 East inasmuch as he has decided to construct his new home at another location.

MAYOR R. DALE ROPER: ADOPTION OF A BOND RESOLUTION AUTHORIZING ISSUANCE OF A \$143,900 GENERAL OBLIGATION BOND, SERIES 1999 OF DELTA CITY, MILLARD COUNTY, UTAH

Mayor Roper advised the Council that a Bond Resolution must be approved in order to issue the bonds necessary for construction of the library addition.

Council Member Wesley Bloomfield MOVED to adopt the Bond Resolution Authorizing Issuance of a \$143,900 General Obligation Bond, Series 1999 of Delta City, Millard County, Utah, Bond No. 1999-GO-1. The motion was SECONDED by Council Member Glen Swalberg. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Wesley Bloomfield	Yes
Gayle Bunker	Yes
Bruce Curtis	Yes
Robert Dekker	Absent

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Glen Swalberg

Yes

MAYOR R. DALE ROPER: DITCH TAX AND WATER IRRIGATION RATES FOR 1999

Mayor Roper explained that City Attorney Waddingham was going to prepare a new ordinance adopting ditch tax and water irrigation rates for the 1999 irrigating season. However, it was determined that a new ordinance is not required inasmuch as we are charging the same rates as last year.

Council Member Gayle Bunker MOVED to strike this item from the agenda. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR R. DALE ROPER: SET PUBLIC HEARING FOR FISCAL YEAR 1999-2000 DELTA CITY TENTATIVE BUDGET

Mayor Roper advised the Council that state law requires that a public hearing on the tentative budget be held at the first meeting in May of each year. Council Member Gayle Bunker MOVED to set a public hearing for the purpose of receiving public comment regarding the Delta City Tentative Budget for Fiscal Year 1999-2000 on Monday, May 10, 1999 at 6:30 p.m. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR R. DALE ROPER: AMENDMENT TO RESOLUTION NO. 97-251 ADOPTING THE DELTA CITY PURCHASING POLICY

## RESOLUTION NO. 99-259

## A RESOLUTION AMENDING DELTA CITY'S PURCHASING POLICY AND PROCEDURES

Mayor Roper explained to the Council that the Caselle software purchased for use by Delta City includes a program which requires that purchase orders be approved before any purchase is made. The Delta City Purchasing Policy was adopted prior to purchase of the Caselle software and now needs to be amended in order to integrate with the Caselle program. There has been some problem with vendors being paid before merchandise or services were received; this procedure will prevent that happening in the future.

Council Member Wesley Bloomfield MOVED to adopt Resolution No. 99-259, A Resolution

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Amending Delta City's Purchasing Policy and Procedures. The motion was SECONDED by Council Member Glen Swalberg. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Wesley Bloomfield	Yes
Gayle Bunker	Yes
Bruce Curtis	Yes
Robert Dekker	Absent
Glen Swalberg	Yes

The motion passed unanimously.

#### COUNCIL MEMBER GLEN SWALBERG: CITY CLEANUP

Council Member Glen Swalberg requested approval to put an article in the newspaper reminding residents of clean up date of May 8<sup>th</sup> for areas north of Main Street and May 15<sup>th</sup> for areas south of Main Street. He would like to remind residents that Public Works Department equipment and employees will be available to assist in hauling items for residents.

Council Members agreed to have Council Member Glen Swalberg submit an article for publication in the local paper reminding residents of the clean up dates and assistance by the Public Works Department.

#### COUNCIL MEMBER GLEN SWALBERG: CLG/DELTA HERITAGE COMMITTEE

Council Member Glen Swalberg reported that the Historical Community Local Government Committee has reorganized with the following officers:

Donetta Hardy	Chairperson
Leona Riding	Member
Jackie Smith	Member
Jill Droubay	Member
Jane Ann Draper	Member

Council Member Swalberg advised the Council that the Committee had recently attended a training session in Cedar City and learned about a number of grants which can be obtained for local projects. Council Member Swalberg also reported that May 1-8, 1999 has been designated Utah State Historical Week. During that week, the local committee plans

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to call special attention to five historical homes in Delta City.

Council Member Glen Swalberg MOVED to table discussion of this matter and have it put on the agenda of the next City Council meeting for a vote on the proposed Committee members. The motion was SECONDED by Council Member Bruce Curtis. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

COUNCIL MEMBER GAYLE BUNKER: DELTA CITY PERSONNEL POLICY UPDATE

Council Member Gayle Bunker requested a progress report on the new Delta City Personnel Policy. Mayor Roper stated that City Attorney Waddingham has completed his work on the updated personnel policy but Mayor Roper needs to review it. After his review, Mayor Roper would like to have department heads review the proposed policy, then have the Council review it prior to taking action to adopt it.

OTHER BUSINESS

Mayor Roper advised the Council that City Attorney Waddingham had made certain that the new logo, which the Council voted to use on Delta City stationery, does not infringe on any previously registered patents. The cost of the patent search was \$300. City Attorney Waddingham advised the Council to register the logo, at a cost of \$1,000, in order to avoid patent infringement problems in the future.

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Mayor Roper reported that Public Works Director Neil Forster received a letter from Utah State Department of Transportation and the Federal Aviation Administration advising that, due to lack of funding, twenty airports in the State of Utah are being denied funding for maintenance or construction projects. Delta's airport is included in those twenty airports. During a recent visit to Washington, D.C., Mayor Roper discussed this matter with each of the Utah delegations, who each expressed concern, but were not inclined to overstep the boundaries of State decision-makers. If funding becomes available at a later time, the current funding decisions would be reconsidered.

Mayor Roper noted that one runway at the Delta airport is in good condition but, within the next five years, will require substantial funding for maintenance. Mayor Roper expressed concern in obtaining funding for repairs which will be required in order to keep the airport open. If the runways are not maintained, at some point, the license to operate the airport will be rescinded. Public Works Director Neil Forster noted that both airports

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in Millard County, Delta and Fillmore, are on the funding denial list.

While Mayor Roper was in Washington, D.C., Council Member Gayle Bunker attended both the Millard County Commission Meeting to discuss this matter with them. The Commission and the Mayors were concerned with the situation and offered their support and agreed to see if they could be of any assistance in getting a reconsideration.

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Council Member Gayle Bunker reported that, when he attended the Millard County Commission Meeting, land use was discussed. The Bureau of Land Management is having an open house on May 6<sup>th</sup> in Fillmore from 3:00 - 8:00 p.m. There was discussion regarding what constitutes a road; the BLM and Millard County have conflicting opinions as to what the definition of a road is. The Millard County Commission requested support from the Delta City Council for their position. Mayor Roper reported that there is a meeting scheduled for Tuesday, April 27<sup>th</sup> regarding this issue.

Council Member Gayle Bunker also reported that the Millard County Commission discussed building inspection fees. The current rate is \$18/hour and figures show that Delta City collected \$7,650 in building inspection fees and paid approximately \$875 to Millard County for their services. It is proposed that the fees be split between the County and City on a 40/60 basis; i.e., 40% to the County and 60% to the City. The other option being considered would be to raise the fees to \$35/hour, plus \$.35/mile for travel. Council Member Bunker noted that the County Commission will not be making a decision for a month or two, so there is time to negotiate Delta City's inspection fees. Public Works Director Forster mentioned that, during negotiations, the building inspectors need to be reminded that they do not enforce zoning requirements for Delta City. This has happened recently and some residents have experienced problems associated with being given erroneous information.

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Mayor Roper reported that Peak Cablevision, the local provider for TCI, is going to be adding two channels to their cable television service. There will be a letter mailed to all subscribers informing of the change in service.

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Mayor Roper reported that Frank Thomas, art director at Delta High School, has had difficulty getting students to design a Delta City flag. He has asked the students to present

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some ideas for a flag, which incorporate the Delta City name and date of establishment. Inasmuch as there is not sufficient time this school year to improve on the ideas submitted, Mr. Thomas would like the Council to look at the ideas presented and allow him to have students complete the flag assignment at the beginning of the next school year. Mayor Roper will leave the proposed ideas in Greg's office for review by the Council.

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Mayor Roper mentioned that the City Building needs to be repainted and the carpet needs to be replaced. Mayor Roper would like to obtain bids for painting and get it done first, then have the carpet replaced. The Council instructed Mayor Roper to obtain bids and get the work done.

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Council Member Bloomfield reported that he attended the Utah League of Cities and Towns Convention in St. George and felt that the classes he attended were very useful. He reported that there was a great deal of emphasis on Planning & Zoning and Conditional Use Permits.

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Mayor Roper asked if there were any comments, questions, or other ideas to be discussed. There being none, Council Member Gayle Bunker MOVED to adjourn the meeting. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Roper declared the meeting adjourned at 8:55 p.m.

  
R. DALE ROPER, Mayor

  
GREGORY JAY SCHAFER, City Recorder

MINUTES APPROVED: RCCM 05-10-99